

client assistance memo

Residential Use of a Floating Home, House Barge or Vessel

— Includes Permit Requirements for Residential Use of a House Barge

Updated July 7, 2004

For the Department of Planning and Development (DPD), the City department responsible for enforcing shoreline regulations and other laws that govern construction on land and over water in Seattle, the distinction between the residential use of a floating home, house barge, or vessel is a crucial one.

DPD must often determine if a questionable residence over water is a floating home, house barge, or vessel. This Client Assistance Memo is intended to assist owners of floating homes, house barges, and vessels in determining which of these categories applies to their property, so they can comply with Seattle's Shoreline Master Program (SSMP) rules as contained in Seattle Municipal Code (SMC) Chapter 23.60.

Category Descriptions

IMPORTANT: Be sure to read all three descriptions below in order to determine which category applies.

■ Floating Homes

SSMP defines a floating home as a single-family dwelling constructed on a float that is moored, anchored, or otherwise secured in waters. Seattle's construction codes apply to floating homes and have requirements similar to those for houses built on land. Floating homes are required to be located in approved "floating home moorages" and have direct connections to sewer and water utilities, in addition to other location and design

restrictions. The number of authorized moorage locations for new floating homes is very limited.

■ House Barges

The SSMP defines a house barge as a vessel that is both:

1. designed and used for navigation but lacks a means of self-propulsion and steering equipment or capability (for example, it is designed and used for navigation by towing); and
2. designed or used as a place of residence.

A house barge houses people over water, but does not need to comply with the construction and utility requirements applicable to floating homes. Only house barges that have been continuously moored and used for residential purposes within the City of Seattle since June 1990 are allowed, and they are regulated as nonconforming uses. They must be moored in recreational marinas, meet State water quality standards, and demonstrate that all overboard discharges have been sealed and that a satisfactory means of conveying waste-water to an approved disposal facility has been provided.

There are approximately 34 authorized house barges in Seattle. New house barges are not permitted.

Moorage restrictions on house barges and floating homes are intended to preserve moorage space for boats rather than non-water-dependent residential uses.

■ Vessels

Boats, ships, barges, or other floating craft that are both designed and used for navigation and that do not interfere with the normal public use of the water are classified as vessels. Vessels are not regulated by the City's construction codes.

Vessels must be moored at a site that has the appropriate use permits for providing moorage to that type of vessel. Uses on vessels must be consistent with the policy of the Shoreline Management Act and with the regulations of the Land Use Code and the SSMP,

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even if no shoreline substantial development permit is required. Incidental residential use of a bona fide vessel is permitted under the shoreline regulations.

Several unique features of vessels with residential use differentiate them from house barges and floating homes. Vessels must be designed for navigation, including having a seaworthy hull design that meets U.S. Coast Guard standards for flotation, safety equipment, and fuel, electrical, and ventilation systems. They are capable of being used for water transportation, and if they are used for residential purposes they must be able to travel under their own power to open water, including a method for steering and propulsion, deck fittings, navigational and nautical equipment, and the required marine hardware (absent these features, they will be categorized as house barges, as described above).

In addition, vessels must be used for navigation in a manner consistent with the type of vessel. Finally, vessels must be registered with federal, state, or county agencies. (**NOTE:** Being registered alone does not mean that something will be classified as a vessel for the purposes of the City's Codes—a vessel must be *designed* and *used* for navigation.)

A structure on the water lacking any of these features does not qualify as a vessel and is subject to the SSMP and other City codes as a structure and as an obstruction.

When House Barges Are Permitted

House barges are permitted if all of the following conditions are met (per SMC 23.60):

1. The house barge has been moored and used for residential purposes within the City of Seattle continuously since June 1990.
2. The house barge permit applicant has demonstrated compliance with City and State water quality standards for discharge by toilet. Plumbing systems must be maintained to prevent overboard discharge of sewage.
3. House barge owners must continue to demonstrate, consistent with State water quality standards, that all overboard discharges have been sealed and that satisfactory means of conveying wastewater to an approved disposal facility have been provided.

Code Citation on Exceptions and Conditions:

DPD's Director, after consultation with State Department of Ecology (Northwest Regional Office) water quality staff, may grant an exception to this require-

ment based upon approval of a detailed plan that considers all feasible measures to control and minimize overboard discharge of wastewater. Permits may require conditions which limit overboard discharge of wastewater or the adverse environmental consequences thereof to the maximum extent practicable. Permit conditions may require implementation of best management practices for minimizing wastewater discharges, or the use of alternative treatment and disposal methods. (SMC 23.60.090.G.3)

4. The house barge can only be moored at a recreational marina, as defined by the SMC. Relocation of an established house barge to a different recreational marina within Seattle is permitted, if notice is provided to DPD. House barge permits are transferable between owners of the same house barge, but are not transferable to another house barge. Change of ownership information shall be provided to DPD. **When a house barge is removed from Seattle waters for more than six (6) months, the permit establishing its use will be rescinded and the house barge is prohibited from relocating in Seattle waters.**
5. Residential house barges shall be regulated as a nonconforming use and shall be subject to the standards of SMC 23.60.122.

Questions?

If you have a question about residential uses permitted over water in Seattle, please contact a shoreline inspector on DPD's Code Compliance staff at (206) 684-5040 or (206) 386-1987.

If you wish to report a complaint about a potential violation of Seattle's shoreline regulations, call DPD's 24-hour Complaint Hotline at (206) 684-7899.

Access to Information

Links to electronic versions of DPD **Client Assistance Memos (CAMs)**, **Director's Rules**, and the **Seattle Municipal Code** are available on the "Publications" and "Codes" pages of our website at www.seattle.gov/dpd. Paper copies of these documents, as well as additional regulations mentioned in this CAM, are available from our Public Resource Center, located on the 20th floor of Seattle Municipal Tower at 700 Fifth Avenue in downtown Seattle, (206) 684-8467.

Residential House Barge Permit Application

NOTE: Only house barges that have been moored and used within the City of Seattle since June 1990 are allowed as nonconforming uses. **House barges newer than 1990 are not permitted.**

Owner Information

I. Owner Information

Name: _____

Mailing Address of Owner: _____

Daytime Phone Number: _____

Signature: _____ Date: _____

II. Tenant Information (if applicable)

Name: _____

Daytime Phone Number: _____

III. Location of Residential House Barge

Address: _____

Moorage Location: _____

Moorage Slip Number: _____

Date residence established: _____

Registration Information

King County Assessor's Tax Number: _____

NOTE: House barges used for residential purposes are considered personal property by the King County Assessor's Office, and the owners are required to register this residential use for tax purposes. Please contact the King County Department of Assessments, King County Administration Building, Room 807, 500 Fourth Avenue in downtown Seattle, (206) 296-7300.

Permit Approval (this section to be completed by DPD staff only)

This house barge meets the permit requirements for a RESIDENTIAL HOUSE BARGE, as verified and inspected by:

Name: _____ Date: _____

Decal Assignment Number: _____
